

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
23-00213-01-CR-W-DGK

KENNETH D. FENNER,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES:

Count One	Possession with Intent to Distribute Fentanyl, <i>in violation of</i> 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)
Count Two	Possession of a Firearm in Furtherance of Drug Trafficking, <i>in violation of</i> 18 U.S.C. § 924(c)(1)(A)
Count Three	Felon in Possession of a Firearm, <i>in violation of</i> 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Robert Smith
Case Agent: FBI Special Agent Alex Menzel
Defense: Jonathan Truesdale

OUTSTANDING MOTIONS: Defendant's Motion in Limine to Exclude Informant Testimony (Doc. 47), filed June 24, 2024, is currently pending.

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 5-7 with stipulations; 10 without stipulations
Defense: 2 additional witnesses, including Defendant who may testify

TRIAL EXHIBITS:

Government: < 50 exhibits
Defense: no additional exhibits

DEFENSES:

☒ defense of general denial

POSSIBLE DISPOSITION:

☐ Definitely for trial

☐ Possibly for trial

☒ Motion to continue to be filed

☐ Likely a plea will be worked out

TRIAL TIME: 2 ½ days

Government's case including jury selection: 2 days

Defense case: ½ day

STIPULATIONS:

☐ not likely

☐ not appropriate

☒ will be discussed as to:

☐ chain of custody

☒ chemist's reports

☐ prior felony conviction

☒ interstate nexus of firearm

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: Monday, June 23, 2025

Defense: Monday, June 23, 2025

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Monday, June 23, 2025

Jury instructions must comply with Local Rule 51.1

Motions in Limine: Monday, June 23, 2025

TRIAL SETTING: Criminal jury trial docket commencing July 7, 2025

Please note: *No conflicting settings with the July 2025 trial docket were identified.*

OTHER:

☐ A _____-speaking interpreter is required.

☐ Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris

JILL A. MORRIS

United States Magistrate Judge